

TOWN OF LITCHFIELD, NH
ZONING ORDINANCE

- b. Automobile Service and Repair:
 - 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road.
 - 3) The service entrance for the storage or repair of automobiles or other motorized vehicles shall be to the rear.
 - 4) Such uses shall not create undue traffic, congestion or hazard.
- c. Fast-Food Restaurants with Take-Out and/or Drive-Through Service:
 - 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road.
 - 3) Such uses shall not create undue traffic, congestion or hazard.

704.0 ***Prohibited Uses. (Amended March 2022)***

- a. Warehouses, fulfillment, or distribution facilities except as permitted under 701 (v).
- b. Large regional shopping type uses, such as department stores, exceeding a footprint of
- c. 20,000 square feet Any use not listed in Section 701.00 or 703.00.

800.00 ***NORTHERN COMMERCIAL DISTRICT (Adopted March 14, 1989, Amended March 2014 and 2022)***

800.01 ***District Boundaries. (Amended March 11, 2014)***

The boundaries of the Northern Commercial District are established based on the December 2008 tax map and lot numbers, map number precedes lot number.

- a. West Side of Route 3A: Beginning at the southern lot line of 22-14 and extending to the southern lot line of 20-7, including 22-13 (the lot known as the Moores Falls Lot); 22-10; 22-11; 22-9; 22-7; 22-96; 22-5; 22-4; 22-2; 22-1; 21-12; 21-10; 21-9; 21-7; 21-5; 21-3; 21-1; 20-21; 20-17; 20-19; 20-15; 20-13; 20-12; 20-10; 20-8; 22-98; 22-99; 22-100; 20-5; and 20-7.
- b. East Side of Route 3A: Including lot 22-8 (west of a line from the intersection of the southern lot line of 22-12 and the eastern boundary of the New England Power Company right-of-way to the northeast corner of 22-6); 22-6, 22-3, 21-64, 21-11, 21-13, 21-8, 21-4, 21-23, 21-2, 20-30, 20-29, 20-27, 20-25, 20-23, 20-28, 20-26, 20-24, 20-22, 20-20, 20-18, 20-16, 20-14, 20-11, 20-9, 20-6, 21-6, 21-20, and 21-24.

800.02 ***Site Plan Review.*** In each case where construction of a building for non-residential use, or alteration and rehabilitation of an existing residential or non-residential structure, the building inspector shall refer the applicant for a building permit to the Planning Board for site plan review in accordance with Site Plan Review Regulations in effect at the time of application. The Planning Board, after holding one or more public hearing(s) upon each application for site plan review, shall approve, approve with modifications, or disapprove said site plan. When modifying or disapproving a site plan after review, the Board shall enter its reason for the modification or disapproval into its records.

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800.03 Performance Standards. (Amended March 2022)

- a. All land use activities shall be conducted and operated to minimize negative environmental impacts to neighboring properties from emissions of smoke, noise and odors, vibrations, discharges, and stormwater runoff, and shall conform to all State and Federal regulations and the following performance standards contained in Section 403.00.
- b. All non-residential uses shall be compatible in character, scale, and design with existing developed properties in close proximity and abutting the proposed development. Within a development project, site design elements should be compatible with small New England Village character and the town's agricultural history. Applicants must submit building elevations and landscaping plans to the planning board for review as part of their Site Plan Application. The Planning Board shall determine whether building design is compatible with the mixed commercial/residential and historic character of the area. The Planning Board may consult with the Conservation Commission and Heritage Commission to assist in its determinations.
- c. All applications shall meet the General Requirements for Non-Residential Uses as set forth in section 408 of this Ordinance.
- d. Sidewalks shall be required along at least one side of Route 3A to facilitate the development of an interconnected, walkable village environment, and to connect existing and proposed commercial uses to the Albuquerque Avenue multi-use path. Where construction of a building for multi-family residential or non-residential use, or alteration or rehabilitation of an existing residential or non-residential structure is proposed, construction of a sidewalk not less than six (6) feet in width shall be constructed along the entire length of frontage along Route 3A in a location to be determined by the Planning Board. Where the Planning Board determines that construction of a sidewalk is not needed due to the presence of a suitable existing or planned sidewalk on the opposite side of Route 3A, the Board may require a payment in lieu of construction to facilitate completion of the sidewalk network.

801.00 Permitted Uses.

The following uses are permitted in the Northern Commercial District. This zone is intended to provide for an accessible, walkable, well-planned area for local community shopping functions. Clusters of shops or small-scale shopping centers as well as individual shops are encouraged for this zone. (March 12, 1991, Amended March 11, 2014, and March 2022)

- a. Banks and branch offices of financial institutions.
- b. Establishments offering goods for sale including dry goods, foods, hardware, clothing and apparel, antiques, and other general retail commodities, but not including automotive service or gasoline sales. (Amended March 11, 2014)
- c. Convenience stores.
- d. Breweries, distilleries, and wineries.
- e. Restaurants not including fast-food restaurants with take-out and/or drive-through service.
- f. Professional offices including medical, dental, legal, accounting, real estate, and other similar professional services.

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- g. Health care facilities and services including urgent care facilities not to exceed 10,000 square feet.
- h. Personal services and offices including barbershops, hair and nail salons, tailors, dry cleaning, and other similar services.
- i. Drugs stores and pharmacies with or without health, beauty, grocery, and other convenience product sales not to exceed 10,000 square feet.
- j. Bakeries and confectionary shops with on-site retail sales.
- k. Contractor services including plumbing, heating, electric, carpentry, landscaping, and other similar services.
- l. Health, athletic and fitness establishments including yoga, dance and martial arts studios, boxing gyms, and other similar establishments.
- m. Bed and breakfasts. (Amended March 11, 2014)
- n. Indoor theaters.
- o. Churches and associated parsonages.
- p. Public, private or non-profit recreational facilities, fraternal orders, or membership clubs.
- q. Schools, nurseries and day care centers.
- r. Funeral homes.
- s. Residential units constructed prior to March 14, 1989, and home occupations within these units subject to the provisions of Section 504.00. (March 12, 1991)
- t. Mixed use - Commercial/Residential as follows: A maximum of one residential unit may be developed in conjunction with a commercial use. The residential unit shall be accessory and subordinate to the use of the lot for commercial purposes. Minimum lot size shall be one acre (43,560 square feet). Septic systems must be designed, sited and constructed to adequately handle all wastes from the commercial use and the residential unit. (Amended March 1992)
- u. Agricultural uses including: (March 1994)
 - 1. Agriculture
 - 2. Farm worker dwelling
 - 3. Farm roadside stand/storefront
 - 4. Accessory structures for agricultural use
 - 5. Agritourism
 - 6. Operation and maintenance of agricultural/forestry vehicles and processing machinery
 - 7. Agricultural processing plants. (Amended March 11, 2014)

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- v. Utility structures of less than 200 square feet in area. (March 1996).

801.01 Multiple Principal Uses. Two or more principal uses may be located on the same parcel without subdivision provided that the minimum standards set forth in this ordinance are adhered to.

802.00 ***Lot Requirements.*** (Amended March 2016)

Refer to section 310.00 – Dimensional Requirements.

802.01 Additional Requirements within Setbacks. All buildings, structures, parking areas and other site improvements, excluding access drives, walkways, fire lanes, and landscaped areas, shall be set back from the lot lines as specified in Section 310.00. Where a commercial site provides for pedestrian and vehicular access to an adjacent commercial site, site improvements, other than buildings, may be located within side or rear setbacks. (Amended March 2005)

802.02 Building Height. Except for structures not intended for human occupation, (chimneys, water towers, church spires, etc.) maximum building height is 35 feet.

802.03 Site Coverage, Maximum Impervious Surface. A maximum of 65 percent of the gross area of the site shall be comprised of impervious surfaces or occupied by buildings, structures, parking areas, driveways/roads and other site improvements excluding landscaping.

803.00 Conditional Uses. (Amended March 2020 and March 2022)

The following uses are permitted by a Conditional Use Permit granted by the Planning Board to meet the standards and requirements of this ordinance. The Planning Board shall determine if the proposed commercial use will meet the standards established herein for that use:

a. Gasoline Sales:

- 1) Shall not be located within a 500-foot radius of another gasoline sales station located in the Town of Litchfield except where the existing station is located across a major road from which the proposed station takes access.
- 2) Pumps shall be set back at least 50 feet from the right-of-way.
- 3) Two access/egress points shall be provided.
- 4) Frontage shall be at least 500 feet on Route 3-A and 200 feet on other Town approved roads.
- 5) All underground storage tanks shall be double lined and contain a leak detection system in accordance with State of New Hampshire standards.
- 6) Such uses shall not create undue traffic congestion or hazard.

b. Automobile Service and Repair:

- 1) Two access/egress points shall be provided.
- 2) Frontage shall be at least 200 feet on a Town approved road.
- 3) The service entrance for the storage or repair of automobiles or other motorized vehicles shall be to the rear.
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- c. Fast-Food Restaurant with Take-Out and/or Drive-Through Service:
 - 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road not including Route 3-A.
 - 3) The Planning Board shall determine whether building design and landscaping is compatible with mixed commercial/residential and historic character of the area.
 - 4) Such uses shall not create undue traffic congestion or hazard.

- d. Warehouse, fulfillment, or distribution facilities not to exceed 150,000 square feet:
 - 1) Buildings shall be set back not less than 250 feet from Route 3A.
 - 2) Landscaped buffers must be provided sufficient to provide screening from Route 3A and adjacent residential uses.
 - 3) Such uses shall not create undue traffic congestion or hazard.

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804.0 Prohibited Uses. (Amended March 2022)

- a. Large regional shopping type uses, such as department stores, exceeding a footprint of 20,000 square feet.
- b. Warehouse, fulfillment, or distribution facilities greater than 150,000 square feet
- c. Any use not-listed in Section 801.00 or 803.00.